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Establishment of a nuclear-weapon-free zone in the region of the Middle East

The risk of nuclear proliferation in the Middle East

Establishment of a nuclear-weapon-free zone in the region of the Middle East

Report of the Secretary-General

Addendum**

III. Replies received from Governments

Israel

[Original: English]
[19 August 2009]

Israel has always maintained that in the Middle East, nuclear issues, as well as all regional security issues, both conventional and non-conventional, should be dealt with within the full context of the peace process. It is in this framework that Israel supports the eventual establishment of the Middle East as a mutually verifiable zone free of weapons of mass destruction and ballistic missiles.

General Assembly resolution 63/38 on the establishment of a nuclear-weapon-free zone in the region of the Middle East does not adequately reflect Israel's position vis-à-vis the nuclear issue in the region. In fact, Israel has substantive and significant reservations regarding certain elements of the resolution. Furthermore, it is our view that a resolution concerning a zone free of weapons of mass destruction in the Middle East should enjoy consensus in order to be relevant.

Notwithstanding those reservations, for over 20 years Israel has chosen to join the consensus and has made extensive efforts to preserve the language and prevent unilateral changes. Israel has acted this way out of its belief that, instead of

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** The information contained in the addendum was received after the submission of the main report.

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highlighting different positions, there is a fundamental need for building confidence and creating a common vision for all the States of the Middle East. The promotion of this vision must take into account the particular circumstances of the Middle East, some of which are closely related to the particular characteristics of the region, while others emanate from recent changes in the international scene. In spite of several positive developments in the realm of non-proliferation in the region, there are still countries that continue to acquire and develop weapons of mass destruction and their means of delivery, in defiance of their international obligations and Security Council resolutions. Some of those countries deny Israel's right to exist and continue to pursue aggressively hostile practices towards Israel.

There is also continued lack of progress in addressing recognized loopholes in global non-proliferation regimes that allow some countries to violate their international obligations without penalty. This is especially true when it comes to the Middle East, where membership in global conventions evidently does not provide adequate assurances for compliance, in view of the poor track record in this domain by certain countries in the region. The cases of Iraq, Libya and Syria exemplify this reality, and in particular Iran's nuclear programme, which has not been halted despite compelling evidence as to its military nature and despite five Security Council resolutions. Iran's nuclear activities are in contravention of Security Council resolutions, the demands of the International Atomic Energy Agency (IAEA) and its international legal obligations. This nuclear programme represents a clear threat to the stability and security of the region as a whole and presents an urgent challenge for global peace and security. This environment of growing threats has a critical impact on the region's ability to move towards the establishment of a zone free of all weapons of mass destruction and ballistic missiles. The danger of these regional realities has further grown with revelations of a black market and the proliferation of networks through which equipment, technology and nuclear know-how are being transferred by rogue States.

Accordingly, there is an urgent need to intensify efforts to halt the proliferation of weapons of mass destruction and ballistic missiles to countries in the Middle East, as well as to limit the spread of nuclear fuel cycle technologies, and not provide such technologies to States which are found to be in non-compliance with their international obligations in this sphere. There is an urgent necessity for a range of international, regional and national efforts to promote a variety of measures, inter alia, more stringent controls on sensitive exports, especially to those countries that are engaged in extensive proliferation activities and to those involved in supporting terrorism.

This disturbing reality in the Middle East mandates a practical step-by-step approach, bearing in mind the ultimate goal of achieving peaceful relations and reconciliation among all States in the region. This process, as has been demonstrated by the experience of other regions, such as Latin America, is inherently an incremental one. It can only realistically begin with modest arrangements for confidence-building measures in order to build the necessary trust for more ambitious cooperative security undertakings. Effective arms control measures can only be achieved and sustained in a region where war, armed conflict, terrorism, political hostility and incitement are not features of everyday life.

In recent years, Israel has sought to lay the foundations of peace in the region based on a historical reconciliation, embodying the notions of compromise, mutual

trust and respect, and good neighbourliness. The foundation for coexistence between Israel and its neighbours was laid in bilateral peace treaties with Egypt and Jordan. Israel still hopes that peace treaties will be reached with the Palestinians, Lebanon and the Syrian Arab Republic, as well as other countries in our region. In addition, after the Madrid Conference of 1991, Israel made a substantial effort to contribute to the success of the arms control and regional security talks in the framework of the multilateral negotiations of the peace process. The arms control and regional security talks were the appropriate forum to promote confidence and to address regional security issues and challenges. These talks were, unfortunately, discontinued by another State in the region instead of becoming an important channel for regional dialogue.

Despite this lack of progress both regionally and globally, Israel attaches great importance to nuclear non-proliferation, and has carried out great efforts in recent years to bring itself closer to the global non-proliferation regimes, including in the field of export controls.

These efforts constitute an important component of the overall effort to improve the regional security climate. It was in this spirit that Israel signed the Chemical Weapons Convention in 1993, the Comprehensive Nuclear-Test-Ban Treaty in 1996 and the Convention on Certain Conventional Weapons in 1995.

In addition, in 2004 Israel adopted the Export and Import Order (Control Over Chemical, Biological and Nuclear Exports). This Order prohibits the export of equipment, technology and services designated for weapons of mass destruction programmes, and establishes a control system for dual-use items in the nuclear, chemical and biological domain. The list of the controlled items is based on the lists established by the Australia Group and the Nuclear Suppliers Group. By adopting this Order, Israel implemented its policy of adherence to these export control regimes. This Order supplemented Israel's export control legislation on missiles and related material as an adherent to the Missile Technology Control Regime, which was incorporated in the 2008 Defense Export Control Act and in related secondary legislative instruments.

Accordingly, Israel is implementing Security Council resolution 1540 (2004) and supported the extension of the 1540 Committee mandate by the terms of resolution 1810 (2008).

Israel shares the concern of the international community pertaining to strengthening the safety and security of nuclear and radiological materials to prevent illicit trafficking. In this spirit, Israel has joined several conventions and codes of conducts in the field of nuclear safety and security. It has joined the Convention on the Physical Protection of Nuclear Materials (CPPNM) and launched the ratification process of the Amendment to the Convention. It has also signed the International Convention for the Suppression of Acts of Nuclear Terrorism while starting preparations for its ratification. Israel has supported all along and is implementing the IAEA Code of Conduct on the Safety and Security of Radioactive Sources as well as the Agency's Code of Conduct on the Safety of Research Reactors. In addition, Israel has joined the Global Initiative to Combat Nuclear Terrorism (GICNT), the Container Security Initiative (CSI), the US Megaports Initiative, and the Global Threat Reduction Initiative (GTRI). Israel supports the Proliferation Security Initiative (PSI).

As the international community has recognized, the establishment of a nuclear-weapon-free zone should be based on arrangements freely arrived at among all States of the region. Such a zone can only be negotiated, established and effectively verified among the States of the region in the context of peaceful relations.

Israel believes that one-sided and unbalanced resolutions aimed at isolating and alienating Israel, such as the resolution on the risk of nuclear proliferation in the Middle East, do not contribute to the establishment of a nuclear-weapon-free zone. Moreover, they undermine the confidence and climate of cooperation that are the essential basis for achieving that end, ignoring the complex reality of the region.

Countries, particularly in the Middle East, should realize that these resolutions cannot be a substitute for the need to conduct direct negotiations, build confidence, reduce threats and establish stable peaceful relations in the region, all of which are essential milestones on the way to a nuclear-weapon-free zone. Over the years, Israel has consistently pursued the policy described above. We regard this policy to be as valid today as it has ever been over the last decade. It provides sound guidance for regional security, based on foundations of stability and peace.